

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

CV 2008-050966

12/02/2010

HONORABLE MICHAEL R. MCVEY

CLERK OF THE COURT  
R. Tomlinson  
Deputy

HELVETICA SERVICING INC, et al.

DONNELLY A DYBUS

v.

KELLY R PASQUAN, et al.

KELLY R PASQUAN  
10601 N MONTROSE WAY  
SCOTTSDALE AZ 85254

VISHNU R JONNALAGADDA  
DANIEL L KLOBERDANZ  
THOMAS PURCELL LIDDY

MINUTE ENTRY

NE Courtroom 112

10:21 a.m. This is the time set for Oral Argument regarding Plaintiff Intervenor Ronald L. Gold's Notice of Lodging Form of Judgment on: (I) Stephen and Pamela Pasquan's Rule 12(b)(6) Motion to Dismiss Ronald L. Gold's Complaint in Intervention; (II) Helvetica Servicing Inc.'s Motion to Dismiss Complaint in Intervention; and (III) Ronald L. Gold's Motion to Dismiss Helvetica Servicing Inc's Counterclaim. Present on behalf of the Plaintiff is counsel, Donnelly A. Dybus. Present on behalf of Third Party Defendants Michael, Stephen, and Pamela Pascuan and Joseph J. Giraud is counsel, Daniel L. Klobberdanz. Present on behalf of Plaintiff/Intervenor Ronald L. Gold is counsel, Vishnu R. Jonnalagadda.

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A record of the proceedings is made by audio and/or videotape in lieu of a court reporter.

Plaintiff/Intervenor provides opposing counsel and the Court with citations in support of his Notice of Lodging Form of Judgment.

Argument is presented to the Court.

Plaintiff moves to reject the citations provided on this date *in toto*.

Plaintiff further moves for a court order directing Plaintiff/Intervenor to post a supersedeas bond.

Discussion is held regarding the appropriateness of a supersedeas bond in an interlocutory appeal.

**IT IS ORDERED** denying the request to reject the citations provided on this date *in toto*. In the event the Court finds that the citations have substantive value, counsel will be notified and given the opportunity to file responsive pleadings.

**IT IS ORDERED** taking this matter under advisement.

10:53 a.m. Matter concludes.

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